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1. A computer-implemented method of recording an indication of a source location at which a data element is stored, the method comprising acts of:

(A) executing a set of programmed instructions to identify the source location, the source location comprising a portion of a data structure containing source information, the portion containing the data element; and

(B) storing an indication of the source location in electronic file storage;

wherein the act (A) comprises executing a software application to identify the source location, and wherein the software application employs a parameter defining a characteristic of the data element which is represented within the portion of the data structure.

The new limitation in proposed amended claim 1 is a variation on a limitation recited by currently pending claims 2, 19 and 36. The Office Action rejects currently pending claims 2, 19 and 36 under §102(e) over Guest. Applicants respectfully submit that this rejection is based on an erroneous interpretation of Guest, as explained below, and that proposed amended claims 1, 18 and 35 patentably distinguish over Guest.

1. Brief Overview Of Guest

Guest discloses a system which allows data presented on various web pages to be captured and loaded to a database, such that users may retrieve information from a variety of web pages and make the information available to other applications for further processing (Abstract, col. 2, lines 10-19).

The system includes a graphical user interface (GUI) which allows a user to specify a uniform resource locator (URL) for a web page (e.g., by copying and pasting the URL, or getting it from a "favorites" list) from which data is to be retrieved for loading to the database (col. 4, lines 47-49). The system downloads the hypertext markup language (HTML) source constituting the web page specified by the user, parses the HTML, and loads parsed data into an array (col. 4, lines 57-59). Parsing the HTML source involves dividing the data into identifiable units of the web page, replicating the

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web page within the array, and displaying the data contained in the array to the user via the GUI (col. 4, lines 59-63). The user may choose data from the array to be retrieved from the web page, and the system saves the sequence of data chosen by the user to an array locations file (col. 5, lines 12-14).

The system employs the location of data in the array, as defined by the array locations file, to periodically retrieve new data from the specified web page (col. 5, lines 14-16). Thus, data is retrieved from the web page based on its placement in the array, as defined by the array locations file, rather than based on any characteristic of the data itself, and certainly not based on any characteristic represented within the HTML source of the web page.

2. The Office Action's Interpretation Of Guest

The Office Action contends that Guest discloses the limitations of currently pending claims 2, 19 and 36. Specifically, the Office Action contends that Guest discloses executing a set of programmed instructions to identify a source location (i.e., a web page, according to the interpretation of Guest espoused by the Office Action) comprising a portion of a data structure which contains a data element (i.e., a URL, according to the Office Action's interpretation). Thus, according to this interpretation, the web page of Guest *contains* a URL.

Applicants respectfully submit that this interpretation of Guest is incorrect. Guest does not disclose that a web page contains a URL. In fact, Guest specifically points out that a URL is an address specifying the location of the web page on the Internet (col. 3, lines 33-36). A web page does not contain a URL, but rather is located via a URL.

Because a web page does not contain a URL, the Office Action's reasoning in rejecting currently pending claims 2, 19 and 36 is incorrect. These claims require that a software application identify the source location by employing a characteristic of the data element. According to the Office Action's interpretation of Guest, the URL is a data element, and a designation of the URL as a "favorite" constitutes a characteristic of the data element. Even if this contention were supported by the reference (and Applicants

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respectfully submit that it is not), the URL disclosed by Guest can not be construed as a data element to satisfy the limitations of the claims, as explained above.

Guest does not disclose or suggest identifying a source location comprising a portion of a data structure by employing a characteristic of a data element represented within the portion of the data structure. As discussed above, Guest discloses retrieving data elements from a web page based on an indication of their placement in an array, as defined by an array locations file created by the system. That is, Guest employs the location of a data element in the array, rather than a characteristic of the data element which is represented within the portion of the data structure, as required by proposed amended claim 1.

In view of the foregoing, Applicants respectfully assert that proposed amended claim 1 patentably distinguishes over Guest, such that the rejection of claim 1 under §102(e) over Guest should be withdrawn.

The Applicants thank Examiner Bibbee in advance for his courtesies in granting and conducting the telephone interview.

Respectfully submitted,
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